



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

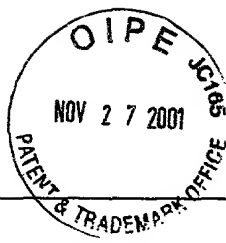
I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
**60/189,863**

**Filing Date**  
**March 16, 2000**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Greaves, John N.	Reg. No. 40,362	Nelson, Albin J.	Reg. No. 28,650
Arora, Suneel	Reg. No. 42,267	Haack, John L.	Reg. No. 36,154	Nicholson, Lea A.	Reg. No. P-48,346
Beekman, Marvin L.	Reg. No. 38,377	Harris, Robert J.	Reg. No. 37,346	Nielsen, Walter W.	Reg. No. 25,539
Bianchi, Timothy E.	Reg. No. 39,610	Hill, Stanley K.	Reg. No. 37,548	Padys, Danny J.	Reg. No. 35,635
Billion, Richard E.	Reg. No. 32,836	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Parker, J. Kevin	Reg. No. 33,024
Black, David W.	Reg. No. 42,331	Jurkovich, Patti J.	Reg. No. 44,813	Perdok, Monique M.	Reg. No. 42,989
Brennan, Leoniede M.	Reg. No. 35,832	Kalis, Janal M.	Reg. No. 37,650	Peret, Andrew R.	Reg. No. 41,246
Brennan, Thomas F.	Reg. No. 35,075	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peterson, David C	Reg. No. 47,857
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Chadwick, Robin A.	Reg. No. 36,477	Lacy, Rodney L.	Reg. No. 41,136	Schumm, Sherry W.	Reg. No. 39,422
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Crisman, Douglas J.	Reg. No. 39,951	Lundberg, Steven W.	Reg. No. 30,568	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 42,832	Speier, Gary J.	Reg. No. 45,458
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Embretson, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Stordal, Leif T.	Reg. No. 46,251
Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Terry, Kathleen R.	Reg. No. 31,884
Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. P-48,341	Tong, Viet V.	Reg. No. 45,416
Gamoff, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Viksnins, Ann S.	Reg. No. 37,748
Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:

**P.O. Box 2938, Minneapolis, MN 55402**  
**Telephone No. (612)373-6900**

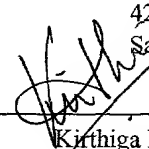
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Kirthiga Reddy**

Citizenship: **India**

Residence: **San Jose, CA**

Post Office Address: **4261 Mackin Woods Lane**  
**San Jose, CA 95112**

Signature:   
**Kirthiga Reddy**

Date: **OCT 6<sup>th</sup> 2001**

Full Name of joint inventor number 2 : **Wesley Scott Smith**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

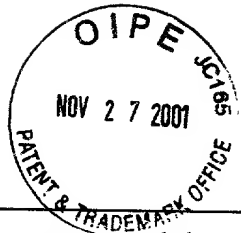
Post Office Address: **2434 Rock Street #2**  
**Mountain View, CA 94043**

Signature: \_\_\_\_\_  
**Wesley Scott Smith**

Date: \_\_\_\_\_

X Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **John Michael Relph**

Citizenship: **United States of America**

Residence: **San Francisco, CA**

Post Office Address: **3859 20th Street  
San Francisco, CA 94114**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: **181 Del Medio Avenue #212  
Mountain View, CA 94040**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**

Citizenship: **United States of America**

Residence: **Los Altos, CA**

Post Office Address: **1926 Alford Avenue  
Los Altos, CA 94024**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**

Citizenship: **United States of America**

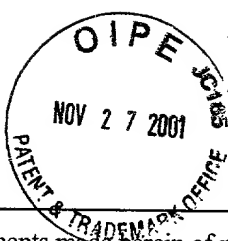
Residence: **Mountain View, CA**

Post Office Address: **179 Sherland Avenue  
Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
James B. Orosz

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Full Name of joint inventor number 7 : **Roger Chickering**  
Citizenship: **United States of America**  
Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Residence: **Sunnyvale, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**  
Citizenship: **United States of America**  
Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Residence: **San Jose, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**  
Citizenship: **Canada**  
Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Residence: **Sunnyvale, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

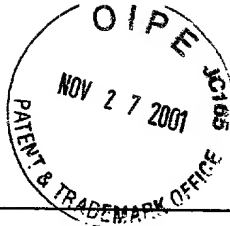
Full Name of joint inventor number 10 : **Sandeep Jain**  
Citizenship: **India**  
Post Office Address: Escondido Village  
Apt. 141-A  
Stanford, CA 94305

Residence: **Stanford, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Sandeep Jain

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Full Name of joint inventor number 11 : **Delle Maxwell**  
Citizenship: **United States of America**  
Post Office Address: **40 Minoca Road**  
**Portola Valley, CA 94028**

Residence: **Portola Valley, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:  
Citizenship:  
Post Office Address:

Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship:  
Post Office Address:

Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship:  
Post Office Address:

Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

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**Filing Date**  
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**Telephone No. (612)373-6900**

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Full Name of joint inventor number 1 : **Kirthiga Reddy**  
Citizenship: **India** Residence: **San Jose, CA**  
Post Office Address: **4261 Mackin Woods Lane**  
**San Jose, CA 95112**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Kirthiga Reddy**

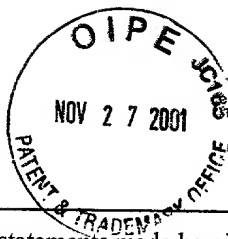
Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: **2434 Rock Street #2**  
**Mountain View, CA 94043**

Signature: Wesley Scott Smith Date: 6 August 2001  
**Wesley Scott Smith**

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
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Full Name of joint inventor number 3 : **John Michael Relph**

Citizenship: **United States of America**

Residence: **San Francisco, CA**

Post Office Address: **3859 20th Street  
San Francisco, CA 94114**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: **181 Del Medio Avenue #212  
Mountain View, CA 94040**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**

Citizenship: **United States of America**

Residence: **Los Altos, CA**

Post Office Address: **1926 Alford Avenue  
Los Altos, CA 94024**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**

Citizenship: **United States of America**

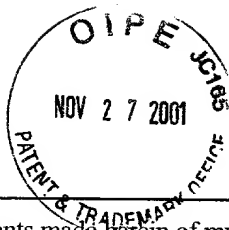
Residence: **Mountain View, CA**

Post Office Address: **179 Sherland Avenue  
Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
James B. Orosz

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Full Name of joint inventor number 7 : **Roger Chickering**  
Citizenship: **United States of America**  
Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Residence: **Sunnyvale, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**  
Citizenship: **United States of America**  
Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Residence: **San Jose, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**  
Citizenship: **Canada**  
Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Residence: **Sunnyvale, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

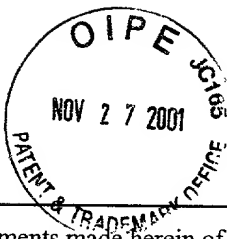
Full Name of joint inventor number 10 : **Sandeep Jain**  
Citizenship: **India**  
Post Office Address: Escondido Village  
Apt. 141-A  
Stanford, CA 94305

Residence: **Stanford, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Sandeep Jain

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Full Name of joint inventor number 11 : **Delle Maxwell**  
Citizenship: **United States of America** Residence: **Portola Valley, CA**  
Post Office Address: **40 Minoca Road**  
**Portola Valley, CA 94028**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

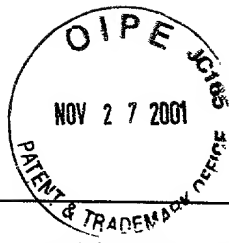
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

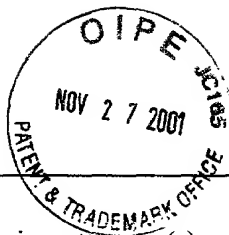
I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
**60/189,863**

**Filing Date**  
**March 16, 2000**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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Arora, Suneel	Reg. No. 42,267	Haack, John L.	Reg. No. 36,154	Nicholson, Lea A.	Reg. No. P-48,346
Beekman, Marvin L.	Reg. No. 38,377	Harris, Robert J.	Reg. No. 37,346	Nielsen, Walter W.	Reg. No. 25,539
Bianchi, Timothy E.	Reg. No. 39,610	Hill, Stanley K.	Reg. No. 37,548	Padys, Danny J.	Reg. No. 35,635
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Black, David W.	Reg. No. 42,331	Jurkovich, Patti J.	Reg. No. 44,813	Perdok, Monique M.	Reg. No. 42,989
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Chadwick, Robin A.	Reg. No. 36,477	Lacy, Rodney L.	Reg. No. 41,136	Schumm, Sherry W.	Reg. No. 39,422
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Embretson, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Stordal, Leif T.	Reg. No. 46,251
Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Terry, Kathleen R.	Reg. No. 31,884
Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. P-48,341	Tong, Viet V.	Reg. No. 45,416
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Viksnins, Ann S.	Reg. No. 37,748
Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:  
**P.O. Box 2938, Minneapolis, MN 55402**  
**Telephone No. (612)373-6900**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Kirthiga Reddy**  
Citizenship: **India**  
Post Office Address: **4261 Mackin Woods Lane  
San Jose, CA 95112**

Residence: **San Jose, CA**

Signature: \_\_\_\_\_  
**Kirthiga Reddy**

Date: \_\_\_\_\_

Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America**  
Post Office Address: **2434 Rock Street #2  
Mountain View, CA 94043**

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_  
**Wesley Scott Smith**

Date: \_\_\_\_\_

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **John Michael Relph**

Citizenship: **United States of America**

Residence: **San Francisco, CA**

Post Office Address: 3859 20th Street  
San Francisco, CA 94114

Signature: \_\_\_\_\_

John Michael Relph

Date: 7/30/01

Full Name of joint inventor number 4 : **Rebecca Underwood**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: 181 Del Medio Avenue #212  
Mountain View, CA 94040

Signature: \_\_\_\_\_

Rebecca Underwood

Date: \_\_\_\_\_

Full Name of joint inventor number 5 : **Jenny Leung**

Citizenship: **United States of America**

Residence: **Los Altos, CA**

Post Office Address: 1926 Alford Avenue  
Los Altos, CA 94024

Signature: \_\_\_\_\_

Jenny Leung

Date: \_\_\_\_\_

Full Name of joint inventor number 6 : **James B. Orosz**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: 179 Sherland Avenue  
Mountain View, CA 94043

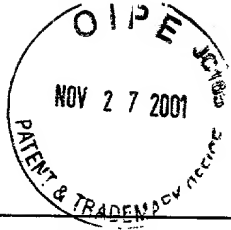
Signature: \_\_\_\_\_

James B. Orosz

Date: \_\_\_\_\_

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Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
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Full Name of joint inventor number 7 : **Roger Chickering**  
Citizenship: **United States of America** Residence: **Sunnyvale, CA**  
Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**  
Citizenship: **United States of America** Residence: **San Jose, CA**  
Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**  
Citizenship: **Canada** Residence: **Sunnyvale, CA**  
Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

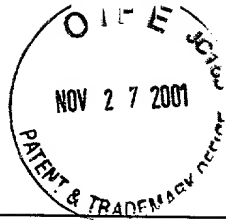
Full Name of joint inventor number 10 : **Sandeep Jain**  
Citizenship: **India** Residence: **Stanford, CA**  
Post Office Address: Escondido Village  
Apt. 141-A  
Stanford, CA 94305

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Sandeep Jain

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



Attorney Docket No.: 499.058US1  
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Full Name of joint inventor number 11 : **Delle Maxwell**  
Citizenship: **United States of America** Residence: **Portola Valley, CA**  
Post Office Address: 40 Minoca Road  
Portola Valley, CA 94028

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

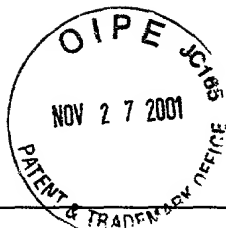
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

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SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
**60/189,863**

**Filing Date**  
**March 16, 2000**

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**Telephone No. (612)373-6900**

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Full Name of joint inventor number 1 : **Kirthiga Reddy**  
Citizenship: **India** Residence: **San Jose, CA**  
Post Office Address: **4261 Mackin Woods Lane**  
**San Jose, CA 95112**

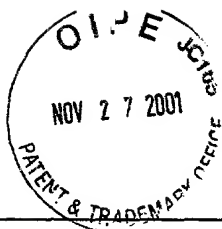
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Kirthiga Reddy**

Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: **2434 Rock Street #2**  
**Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Wesley Scott Smith**

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001



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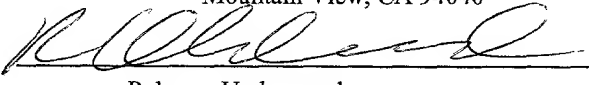
Full Name of joint inventor number 3 : **John Michael Relph**  
Citizenship: **United States of America**  
Post Office Address: 3859 20th Street  
San Francisco, CA 94114

Residence: **San Francisco, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**  
Citizenship: **United States of America**  
Post Office Address: 181 Del Medio Avenue #212  
Mountain View, CA 94040

Residence: **Mountain View, CA**

Signature:  Date: 7/27/01  
Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**  
Citizenship: **United States of America**  
Post Office Address: 1926 Alford Avenue  
Los Altos, CA 94024

Residence: **Los Altos, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**  
Citizenship: **United States of America**  
Post Office Address: 179 Sherland Avenue  
Mountain View, CA 94043

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
James B. Orosz

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 7 : **Roger Chickering**

Citizenship: **United States of America**

Residence: **Sunnyvale, CA**

Post Office Address: **1086 Kerry Avenue  
Sunnyvale, CA 94086**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**

Citizenship: **United States of America**

Residence: **San Jose, CA**

Post Office Address: **648 South 12st Street  
San Jose, CA 95112**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**

Citizenship: **Canada**

Residence: **Sunnyvale, CA**

Post Office Address: **330 North Mathilda Avenue #902  
Sunnyvale, CA 94086**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

Full Name of joint inventor number 10 : **Sandeep Jain**

Citizenship: **India**

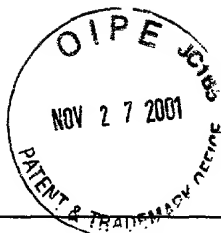
Residence: **Stanford, CA**

Post Office Address: **Escondido Village  
Apt. 141-A  
Stanford, CA 94305**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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Full Name of joint inventor number 11 : **Delle Maxwell**

Citizenship: **United States of America**

Residence: **Portola Valley, CA**

Post Office Address: **40 Minoca Road**

**Portola Valley, CA 94028**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.





SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

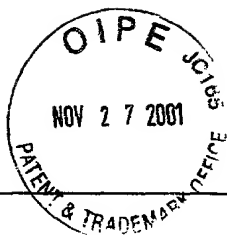
I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
**60/189,863**

**Filing Date**  
**March 16, 2000**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:

**P.O. Box 2938, Minneapolis, MN 55402**

**Telephone No. (612)373-6900**

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Full Name of joint inventor number 1 : **Kirthiga Reddy**

Citizenship: **India**

Residence: **San Jose, CA**

Post Office Address: **4261 Mackin Woods Lane  
San Jose, CA 95112**

Signature: \_\_\_\_\_  
**Kirthiga Reddy**

Date: \_\_\_\_\_

Full Name of joint inventor number 2 : **Wesley Scott Smith**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

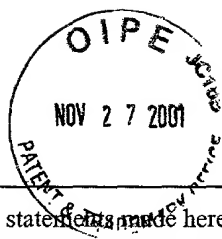
Post Office Address: **2434 Rock Street #2  
Mountain View, CA 94043**

Signature: \_\_\_\_\_  
**Wesley Scott Smith**

Date: \_\_\_\_\_

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 499.058US1  
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Full Name of joint inventor number 3 : **John Michael Relph**  
Citizenship: **United States of America**  
Post Office Address: **3859 20th Street**  
**San Francisco, CA 94114**

Residence: **San Francisco, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**John Michael Relph**

Full Name of joint inventor number 4 : **Rebecca Underwood**  
Citizenship: **United States of America**  
Post Office Address: **181 Del Medio Avenue #212**  
**Mountain View, CA 94040**

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Rebecca Underwood**

Full Name of joint inventor number 5 : **Jenny Leung**  
Citizenship: **United States of America**  
Post Office Address: **1926 Alford Avenue**  
**Los Altos, CA 94024**

Residence: **Los Altos, CA**

Signature: *Jenny Leung* Date: 7/27/01  
**Jenny Leung**

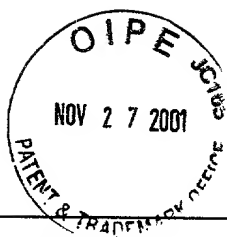
Full Name of joint inventor number 6 : **James B. Orosz**  
Citizenship: **United States of America**  
Post Office Address: **179 Sherland Avenue**  
**Mountain View, CA 94043**

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**James B. Orosz**

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Full Name of joint inventor number 7 : **Roger Chickering**  
Citizenship: **United States of America** Residence: **Sunnyvale, CA**  
Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**  
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Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**  
Citizenship: **Canada** Residence: **Sunnyvale, CA**  
Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

Full Name of joint inventor number 10 : **Sandeep Jain**  
Citizenship: **India** Residence: **Stanford, CA**  
Post Office Address: Escondido Village  
Apt. 141-A  
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Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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Full Name of joint inventor number 11 : **Delle Maxwell**  
Citizenship: **United States of America**  
Post Office Address: **40 Minoca Road**  
**Portola Valley, CA 94028**

Residence: **Portola Valley, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:  
Citizenship:  
Post Office Address:

Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship:  
Post Office Address:

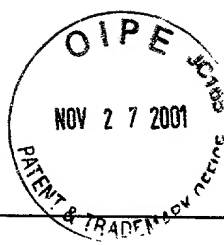
Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
**60/189,863**

**Filing Date**  
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**P.O. Box 2938, Minneapolis, MN 55402**  
**Telephone No. (612)373-6900**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Kirthiga Reddy**  
Citizenship: **India** Residence: **San Jose, CA**  
Post Office Address: **4261 Mackin Woods Lane**  
**San Jose, CA 95112**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Kirthiga Reddy**

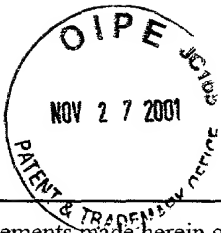
Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: **2434 Rock Street #2**  
**Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Wesley Scott Smith**

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **John Michael Relph**

Citizenship: **United States of America**

Residence: **San Francisco, CA**

Post Office Address: **3859 20th Street**

**San Francisco, CA 94114**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: **181 Del Medio Avenue #212**

**Mountain View, CA 94040**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**

Citizenship: **United States of America**

Residence: **Los Altos, CA**

Post Office Address: **1926 Alford Avenue**

**Los Altos, CA 94024**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

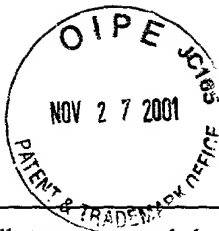
Post Office Address: **179 Sherland Avenue**

**Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

James B. Orosz

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



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Full Name of joint inventor number 7 : **Roger Chickering**  
Citizenship: **United States of America** Residence: **Sunnyvale, CA**  
Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**  
Citizenship: **United States of America** Residence: **San Jose, CA**  
Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**  
Citizenship: **Canada** Residence: **Sunnyvale, CA**  
Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

Full Name of joint inventor number 10 : **Sandeep Jain**  
Citizenship: **India** Residence: **Stanford, CA**  
Post Office Address: Escondido Village  
Apt. 141-A  
Stanford, CA 94305

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Sandeep Jain

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Full Name of joint inventor number 11 : Delle Maxwell  
Citizenship: United States of America Residence: Portola Valley, CA  
Post Office Address: 40 Minoca Road  
Portola Valley, CA 94028

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

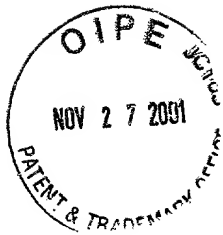
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

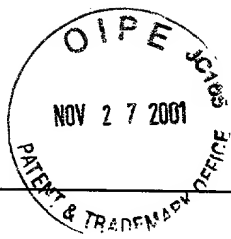
I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
**60/189,863**

**Filing Date**  
**March 16, 2000**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Greaves, John N.	Reg. No. 40,362	Nama, Kash	Reg. No. 44,255
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Beekman, Marvin L.	Reg. No. 38,377	Harris, Robert J.	Reg. No. 37,346	Nicholson, Lea A.	Reg. No. 48,346
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Dahl, John M.	Reg. No. 44,639	Malen, Peter L.	Reg. No. 44,894	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	Mates, Robert E.	Reg. No. 35,271	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	McCrackin, Ann M.	Reg. No. 42,858	Stordal, Leif T.	Reg. No. 46,251
Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. 48,341	Terry, Kathleen R.	Reg. No. 31,884
Gamon, Owen J.	Reg. No. 36,143	Mehrle, Joseph P.	Reg. No. 45,535	Tong, Viet V.	Reg. No. 45,416
Gornie, Gregory J.	Reg. No. 36,530	Moore, Charles L., Jr.	Reg. No. 33,742	Viksins, Ann S.	Reg. No. 37,748
Gortych, Joseph E.	Reg. No. 41,791	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:  
**P.O. Box 2938, Minneapolis, MN 55402**  
**Telephone No. (612)373-6900**

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Citizenship: **India** Residence: **San Jose, CA**  
Post Office Address: **4261 Mackin Woods Lane**  
**San Jose, CA 95112**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Kirthiga Reddy**

Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: **2434 Rock Street #2**  
**Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Wesley Scott Smith**

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint inventor number 3 : **John Michael Relph**

Citizenship: **United States of America**

Residence: **San Francisco, CA**

Post Office Address: 3859 20th Street  
San Francisco, CA 94114

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: 181 Del Medio Avenue #212  
Mountain View, CA 94040

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**

Citizenship: **United States of America**

Residence: **Los Altos, CA**

Post Office Address: 1926 Alford Avenue  
Los Altos, CA 94024

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: 179 Sherland Avenue  
Mountain View, CA 94043

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

James B. Orosz

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Full Name of joint inventor number 7 : **Roger Chickering**

Citizenship: **United States of America**

Residence: **Granite Bay, CA**

Post Office Address: 8125 West Hidden Lakes Drive  
Granite Bay, CA 95746

Signature: \_\_\_\_\_

Roger Chickering

Date: \_\_\_\_\_

11/14/2001

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**

Citizenship: **United States of America**

Residence: **San Jose, CA**

Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: \_\_\_\_\_

Christiaan Willem Beekhuis

Date: \_\_\_\_\_

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**

Citizenship: **Canada**

Residence: **Sunnyvale, CA**

Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_

Elizabeth Caroline Zeller

Date: \_\_\_\_\_

Full Name of joint inventor number 10 : **Sandeep Jain**

Citizenship: **India**

Residence: **Stanford, CA**

Post Office Address: Escondido Village  
Apt. 141-A  
Stanford, CA 94305

Signature: \_\_\_\_\_

Sandeep Jain

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Full Name of joint inventor number 11 : **Delle Maxwell**

Citizenship: **United States of America**

Residence: **Portola Valley, CA**

Post Office Address: **40 Minoca Road  
Portola Valley, CA 94028**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Delle Maxwell

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

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SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

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The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

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Crisman, Douglas J.	Reg. No. 39,951	Lundberg, Steven W.	Reg. No. 30,568	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 42,832	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Stordal, Leif T.	Reg. No. 46,251
Forденbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Terry, Kathleen R.	Reg. No. 31,884
Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. P-48,341	Tong, Viet V.	Reg. No. 45,416
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Viksnins, Ann S.	Reg. No. 37,748
Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Gorty, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:  
**P.O. Box 2938, Minneapolis, MN 55402**  
**Telephone No. (612)373-6900**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Kirthiga Reddy**  
Citizenship: **India** Residence: **San Jose, CA**  
Post Office Address: **4261 Mackin Woods Lane**  
**San Jose, CA 95112**

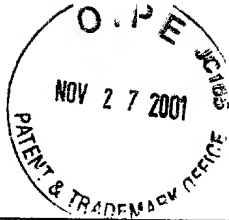
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Kirthiga Reddy**

Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: **2434 Rock Street #2**  
**Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Wesley Scott Smith**

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **John Michael Relph**  
Citizenship: **United States of America**  
Post Office Address: **3859 20th Street**  
**San Francisco, CA 94114**

Residence: **San Francisco, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**  
Citizenship: **United States of America**  
Post Office Address: **181 Del Medio Avenue #212**  
**Mountain View, CA 94040**

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**  
Citizenship: **United States of America**  
Post Office Address: **1926 Alford Avenue**  
**Los Altos, CA 94024**

Residence: **Los Altos, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**  
Citizenship: **United States of America**  
Post Office Address: **179 Sherland Avenue**  
**Mountain View, CA 94043**

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
James B. Orosz

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



Attorney Docket No.: 499.058US1  
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Filing Date: March 16, 2001

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Full Name of joint inventor number 7 : **Roger Chickering**

Citizenship: **United States of America**

Residence: **Sunnyvale, CA**

Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**

Citizenship: **United States of America**

Residence: **San Jose, CA**

Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: Christiaan Willem Beekhuis Date: 7/30/01  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**

Citizenship: **Canada**

Residence: **Sunnyvale, CA**

Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

Full Name of joint inventor number 10 : **Sandeep Jain**

Citizenship: **India**

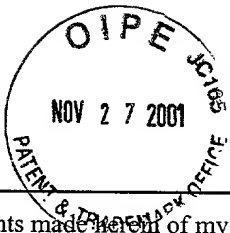
Residence: **Stanford, CA**

Post Office Address: Escondido Village  
Apt. 141-A  
Stanford, CA 94305

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Sandeep Jain

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Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
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Full Name of joint inventor number 11 : **Delle Maxwell**  
Citizenship: **United States of America** Residence: **Portola Valley, CA**  
Post Office Address: **40 Minoca Road**  
**Portola Valley, CA 94028**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

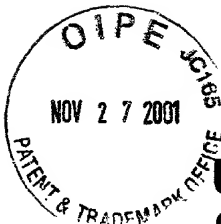
A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.





SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

**United States Patent Application**  
**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
**60/189,863**

**Filing Date**  
**March 16, 2000**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Greaves, John N.	Reg. No. 40,362	Nelson, Albin J	Reg. No. 28,650
Arora, Suneel	Reg. No. 42,267	Haack, John L.	Reg. No. 36,154	Nicholson, Lea A.	Reg. No. P-48,346
Beekman, Marvin L.	Reg. No. 38,377	Harris, Robert J.	Reg. No. 37,346	Nielsen, Walter W.	Reg. No. 25,539
Bianchi, Timothy E.	Reg. No. 39,610	Hill, Stanley K.	Reg. No. 37,548	Padys, Danny J.	Reg. No. 35,635
Billion, Richard E.	Reg. No. 32,836	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Parker, J. Kevin	Reg. No. 33,024
Black, David W.	Reg. No. 42,331	Jurkovich, Patti J.	Reg. No. 44,813	Perdok, Monique M.	Reg. No. 42,989
Brennan, Leoniede M.	Reg. No. 35,832	Kalis, Janal M.	Reg. No. 37,650	Peret, Andrew R.	Reg. No. 41,246
Brennan, Thomas F.	Reg. No. 35,075	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peterson, David C.	Reg. No. 47,857
Brooks, Edward J., III	Reg. No. 40,925	Kluth, Daniel J.	Reg. No. 32,146	Prout, William F.	Reg. No. 33,995
Chadwick, Robin A.	Reg. No. 36,477	Lacy, Rodney L.	Reg. No. 41,136	Schumm, Sherry W.	Reg. No. 39,422
Clark, Barbara J.	Reg. No. 38,107	Lemaire, Charles A.	Reg. No. 36,198	Schwegman, Micheal L.	Reg. No. 25,816
Clise, Timothy B.	Reg. No. 40,957	LeMoine, Dana B.	Reg. No. 40,062	Scott, John C.	Reg. No. 38,613
Crisman, Douglas J.	Reg. No. 39,951	Lundberg, Steven W.	Reg. No. 30,568	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 42,832	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Steffey, Charles E.	Reg. No. 25,179
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Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Terry, Kathleen R.	Reg. No. 31,884
Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. P-48,341	Tong, Viet V.	Reg. No. 45,416
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Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255		

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**Telephone No. (612)373-6900**

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Citizenship: **India**  
Post Office Address: **4261 Mackin Woods Lane  
San Jose, CA 95112**

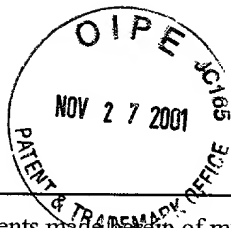
Residence: **San Jose, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Kirthiga Reddy

Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America**  
Post Office Address: **2434 Rock Street #2  
Mountain View, CA 94043**

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Wesley Scott Smith



Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001

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Full Name of joint inventor number 3 : **John Michael Relph**  
Citizenship: **United States of America** Residence: **San Francisco, CA**  
Post Office Address: 3859 20th Street  
San Francisco, CA 94114

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: 181 Del Medio Avenue #212  
Mountain View, CA 94040

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**  
Citizenship: **United States of America** Residence: **Los Altos, CA**  
Post Office Address: 1926 Alford Avenue  
Los Altos, CA 94024

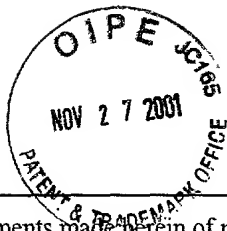
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: 179 Sherland Avenue  
Mountain View, CA 94043

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
James B. Orosz

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Full Name of joint inventor number 7 : **Roger Chickering**

Citizenship: **United States of America**

Residence: **Sunnyvale, CA**

Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**

Citizenship: **United States of America**

Residence: **San Jose, CA**

Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**

Citizenship: **Canada**

Residence: **Sunnyvale, CA**

Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: Elizabeth Caroline Zeller Date: August 6 2001  
Elizabeth Caroline Zeller

Full Name of joint inventor number 10 : **Sandeep Jain**

Citizenship: **India**

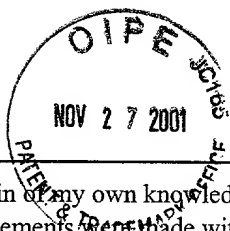
Residence: **Stanford, CA**

Post Office Address: Escondido Village  
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Stanford, CA 94305

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Sandeep Jain

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Full Name of joint inventor number 11 : **Delle Maxwell**  
Citizenship: **United States of America** Residence: **Portola Valley, CA**  
Post Office Address: **40 Minoca Road**  
**Portola Valley, CA 94028**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

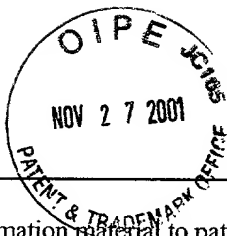
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship: Residence:  
Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

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SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

## United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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**Application Number**

**60/189,863**

**Filing Date**

**March 16, 2000**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Greaves, John N.	Reg. No. 40,362	Nelson, Albin J.	Reg. No. 28,650
Arora, Suneel	Reg. No. 42,267	Haack, John L.	Reg. No. 36,154	Nicholson, Lea A.	Reg. No. P-48,346
Beekman, Marvin L.	Reg. No. 38,377	Harris, Robert J.	Reg. No. 37,346	Nielsen, Walter W.	Reg. No. 25,539
Bianchi, Timothy E.	Reg. No. 39,610	Hill, Stanley K.	Reg. No. 37,548	Padys, Danny J.	Reg. No. 35,635
Billion, Richard E.	Reg. No. 32,836	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Parker, J. Kevin	Reg. No. 33,024
Black, David W.	Reg. No. 42,331	Jurkovich, Patti J.	Reg. No. 44,813	Perdok, Monique M.	Reg. No. 42,989
Brennan, Leoniede M.	Reg. No. 35,832	Kalis, Janal M.	Reg. No. 37,650	Peret, Andrew R.	Reg. No. 41,246
Brennan, Thomas F.	Reg. No. 35,075	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peterson, David C.	Reg. No. 47,857
Brooks, Edward J., III	Reg. No. 40,925	Kluth, Daniel J.	Reg. No. 32,146	Prout, William F.	Reg. No. 33,995
Chadwick, Robin A.	Reg. No. 36,477	Lacy, Rodney L.	Reg. No. 41,136	Schumm, Sherry W.	Reg. No. 39,422
Clark, Barbara J.	Reg. No. 38,107	Lemaire, Charles A.	Reg. No. 36,198	Schwegman, Micheal L.	Reg. No. 25,816
Clise, Timothy B.	Reg. No. 40,957	LeMoine, Dana B.	Reg. No. 40,062	Scott, John C.	Reg. No. 38,613
Crisman, Douglas J.	Reg. No. 39,951	Lundberg, Steven W.	Reg. No. 30,568	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 42,832	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Stordal, Leif T.	Reg. No. 46,251
Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Terry, Kathleen R.	Reg. No. 31,884
Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. P-48,341	Tong, Viet V.	Reg. No. 45,416
Gamm, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Viksniins, Ann S.	Reg. No. 37,748
Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:  
**P.O. Box 2938, Minneapolis, MN 55402**  
**Telephone No. (612)373-6900**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Kirthiga Reddy**

Citizenship: **India**

Residence: **San Jose, CA**

Post Office Address: **4261 Mackin Woods Lane  
San Jose, CA 95112**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Kirthiga Reddy

Full Name of joint inventor number 2 : **Wesley Scott Smith**

Citizenship: **United States of America**

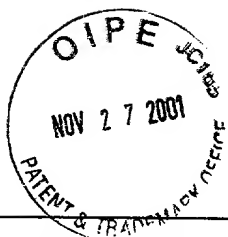
Residence: **Mountain View, CA**

Post Office Address: **2434 Rock Street #2  
Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Wesley Scott Smith

☒ Additional inventors are being named on separately numbered sheets, attached hereto.





Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **John Michael Relph**

Citizenship: **United States of America**

Residence: **San Francisco, CA**

Post Office Address: 3859 20th Street  
San Francisco, CA 94114

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**

Citizenship: **United States of America**

Residence: **Mountain View, CA**

Post Office Address: 181 Del Medio Avenue #212  
Mountain View, CA 94040

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**

Citizenship: **United States of America**

Residence: **Los Altos, CA**

Post Office Address: 1926 Alford Avenue  
Los Altos, CA 94024

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jenny Leung

Full Name of joint inventor number 6 : **James B. Orosz**

Citizenship: **United States of America**

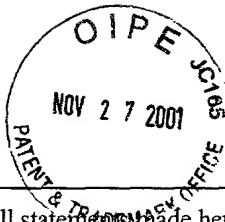
Residence: **Mountain View, CA**

Post Office Address: 179 Sherland Avenue  
Mountain View, CA 94043

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
James B. Orosz

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001



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Full Name of joint inventor number 7 : **Roger Chickering**  
Citizenship: **United States of America** Residence: **Sunnyvale, CA**  
Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**  
Citizenship: **United States of America** Residence: **San Jose, CA**  
Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

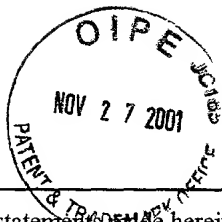
Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**  
Citizenship: **Canada** Residence: **Sunnyvale, CA**  
Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

Full Name of joint inventor number 10 : **Sandeep Jain**  
Citizenship: **India** Residence: **Stanford, CA**  
Post Office Address: Escondido Village 1118 LAUREL STREET,  
Apt. 141-A APT. 1,  
Stanford, CA 94305 MENLO PARK, CA 94025

Signature: \_\_\_\_\_ Date: 17/10/2001  
Sandeep Jain

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001

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Full Name of joint inventor number 11 : **Delle Maxwell**

Citizenship: **United States of America**

Residence: **Portola Valley, CA**

Post Office Address: **40 Minoca Road  
Portola Valley, CA 94028**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Delle Maxwell

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

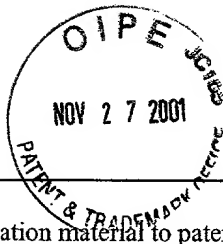
Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMON USER INTERFACE DEVELOPMENT TOOLKIT**.

The specification of which was filed on March 16, 2001 as application serial no. 09/811,345.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number  
60/189,863

Filing Date  
March 16, 2000

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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Bianchi, Timothy E.	Reg. No. 39,610	Hill, Stanley K.	Reg. No. 37,548	Padys, Danny J.	Reg. No. 35,635
Billion, Richard E.	Reg. No. 32,836	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Parker, J. Kevin	Reg. No. 33,024
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Brennan, Thomas F.	Reg. No. 35,075	Khma-Silberg, Catherine I.	Reg. No. 40,052	Peterson, David C.	Reg. No. 47,857
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Clise, Timothy B.	Reg. No. 40,957	LeMoine, Dana B.	Reg. No. 40,062	Scott, John C.	Reg. No. 38,613
Crisman, Douglas J.	Reg. No. 39,951	Lundberg, Steven W.	Reg. No. 30,568	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 42,832	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Steffey, Charles E.	Reg. No. 25,179
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Forrest, Bradley A.	Reg. No. 30,837	McTavish, Hugh E.	Reg. No. P-48,341	Tong, Viet V.	Reg. No. 45,416
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Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 44,255		

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**Telephone No. (612)373-6900**

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Full Name of joint inventor number 1 : **Kirthiga Reddy**  
Citizenship: **India** Residence: **San Jose, CA**  
Post Office Address: **4261 Mackin Woods Lane**  
**San Jose, CA 95112**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Kirthiga Reddy**

Full Name of joint inventor number 2 : **Wesley Scott Smith**  
Citizenship: **United States of America** Residence: **Mountain View, CA**  
Post Office Address: **2434 Rock Street #2**  
**Mountain View, CA 94043**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Wesley Scott Smith**

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **John Michael Relph**  
Citizenship: **United States of America**  
Post Office Address: 3859 20th Street  
San Francisco, CA 94114

Residence: **San Francisco, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
John Michael Relph

Full Name of joint inventor number 4 : **Rebecca Underwood**  
Citizenship: **United States of America**  
Post Office Address: 181 Del Medio Avenue #212  
Mountain View, CA 94040

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Rebecca Underwood

Full Name of joint inventor number 5 : **Jenny Leung**  
Citizenship: **United States of America**  
Post Office Address: 1926 Alford Avenue  
Los Altos, CA 94024

Residence: **Los Altos, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jenny Leung

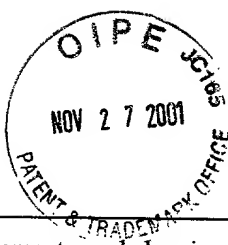
Full Name of joint inventor number 6 : **James B. Orosz**  
Citizenship: **United States of America**  
Post Office Address: 179 Sherland Avenue  
Mountain View, CA 94043

Residence: **Mountain View, CA**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
James B. Orosz

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Full Name of joint inventor number 7 : **Roger Chickering**  
Citizenship: **United States of America** Residence: **Sunnyvale, CA**  
Post Office Address: 1086 Kerry Avenue  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Chickering

Full Name of joint inventor number 8 : **Christiaan Willem Beekhuis**  
Citizenship: **United States of America** Residence: **San Jose, CA**  
Post Office Address: 648 South 12st Street  
San Jose, CA 95112

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christiaan Willem Beekhuis

Full Name of joint inventor number 9 : **Elizabeth Caroline Zeller**  
Citizenship: **Canada** Residence: **Sunnyvale, CA**  
Post Office Address: 330 North Mathilda Avenue #902  
Sunnyvale, CA 94086

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Elizabeth Caroline Zeller

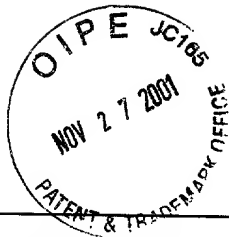
Full Name of joint inventor number 10 : **Sandeep Jain**  
Citizenship: **India** Residence: **Stanford, CA**  
Post Office Address: Escondido Village  
Apt. 141-A  
Stanford, CA 94305

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Sandeep Jain

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Attorney Docket No.: 499.058US1  
Serial No. 09/811,345  
Filing Date: March 16, 2001



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Full Name of joint inventor number 11 : **Delle Maxwell**  
Citizenship: **United States of America**  
Post Office Address: **40 Minoca Road  
Portola Valley, CA 94028**

Residence: **Portola Valley, CA**

Signature:  Date: 7.30.01  
Delle Maxwell

Full Name of inventor:  
Citizenship:  
Post Office Address:

Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship:  
Post Office Address:

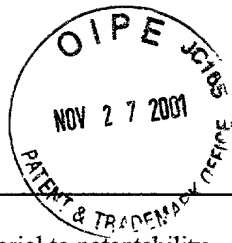
Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of inventor:  
Citizenship:  
Post Office Address:

Residence:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.